

Chrisley V. Pickens  
2748 Campus Walk Avenue  
Apt. #15-F  
Durham, NC 27705  
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U.S. Food and Drug Administration  
Dockets Management Branch  
5600 Fishers Lane, Room 1061  
Rockville, MD 20785  
re: Docket # 98P-0151/CP1

To Whom It May Concern,

I am writing to let you know of my interest concerning a petition you are currently reviewing, Docket Number 98P-0151/CP1, which would prohibit the slaughter of downed animals. I believe that everything should be done to abolish the downed animal trade, which promotes cruel animal handling practices. "Downed animal" and "downer" are livestock industry terms used to describe farm animals who are too sick or injured even to stand. Despite their condition, these incapacitated animals are routinely marketed and slaughtered for human food. In transit and at stockyards and slaughterhouses, they are commonly left to suffer for hours or days without receiving food, water, or veterinary care. Due to their inability to move, downed animals who survive handling and transportation are dragged to slaughter with chains or pushed with tractors and forklifts, inhumane methods which cause injuries ranging from bruises and abrasions to broken bones and torn ligaments. If not slaughtered for human consumption, they die of neglect, literally being discarded in trash bins or on piles of dead animals -- all of which is considered legal.

If dogs or cats suffered these abuses, it would be illegal under state anti-cruelty laws; in fact, a number of states have upgraded companion animal cruelty to a felony charge. Of course, farm, or "food," animals currently have no legal protection to prevent and punish such callous and cruel treatment. Recent documented cases, such as the Amberson Egg Farms' chicken "molting" massacre in Washington state and the Bellcross Farms' sickening sadistic acts toward swine in North Carolina, epitomize the apathy and inadequacy of existing humane protection for farm animals. Severely neglecting and starving thousands of animals to death is cruelty and should not be considered a "common animal agriculture practice" which is exempt from humane protection laws.

In addition to causing intolerable animal suffering, the marketing of "downers" for human consumption poses a risk to human health. It is common sense that an animal who is too sick or injured even to stand should not be allowed to enter the human food chain. In addition to posing an increased risk for bacterial contamination, there is evidence that some downed animals may be afflicted with a form of BSE, Bovine Spongiform Encephalopathy or "Mad Cow Disease", a disease which has been linked to a fatal human illness known as CJD, Creutzfeldt-Jakob Disease. Past government indifference to human health issues resulting from consuming contaminated meat is slowly changing. This summer, the U.S. Department of Agriculture's Agricultural Marketing Service reviewed and revised its policy regarding the purchase of ground beef for the National School Lunch Program and other federal food and nutrition programs, stating "USDA will no longer accept ground beef that includes product from non-ambulatory cattle, commonly known as 'downers.' Carcasses originating from cattle which must be processed in accordance with *FSIS Directive 6900.1R1 -- Humane Handling of Disabled Livestock*, issued November 2,

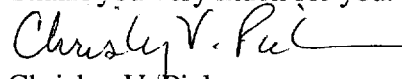
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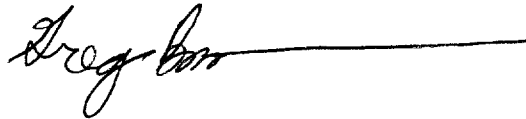
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1998, must be segregated to assure that the product from these carcasses is not included in the USDA purchased ground beef."

As you may know, other federal agencies are likewise reconsidering their policies affecting the downed animal trade; for example, the U.S. House of Representatives is reviewing the Downed Animal Protection Act (H.R. 443), which would amend the Packers and Stockyards Act of 1921 to make it unlawful for any stockyard owner, market agency, or dealer to buy or sell any non-ambulatory livestock unless it has been humanely euthanized. The U.S. Food and Drug Administration now has an unique opportunity to pass landmark policy, reflecting a growing consensus, even among industry and government officials, that the marketing and slaughter of downed animals causes intolerable animal suffering and poses an unnecessary risk to human health. Granting Docket #98P-0151/CP1 would emphatically show animal agribusiness interests that the American public finds the downed animal trade, so damaging to the animals' and human consumers' health, morally repugnant and unacceptable.

Thank you very much for your time and consideration,

  
Chrisley V. Pickens





Chrisley Pickens  
2748 Campus Walk Ave. Apt. 15F  
Durham, NC 27705-3751



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